THE HON'BLE MR JUSTICE S.ANANDA REDDY

WRIT PETITION NO : 17166 of 2005

Between:

M.H.Appa Elementary School, rep.by

Correspondent: M.Balaji Gangadhar Tilak

..... PETITIONER

AND

1. The Government of Andhra Pradesh,

rep.by its Secretary, Education Department,

Secretariat, Hyderabad and 2 others.

.....RESPONDENTS

HONOURABLE SRI JUSTICE S.ANANDA REDDY

WRIT PETITION NO: 17166 of 2005

ORDER:

This writ petition is filed by the petitioner seeking a writ of Mandamus declaring the action of the respondents in not releasing the maintenance grant to the petitioner's school in terms of G.O.Ms.No.320 Education (PS.2) Department dated 16-09-1994 as illegal, arbitrary and without jurisdiction, and

consequently, sought for a direction to the respondents to pay maintenance grant to the petitioner's school immediately.

2. It is stated that the petitioner's school was established after obtaining necessary permission from the authorities concerned. As it is an aided institution, the petitioner is entitled for the release of maintenance grant in terms of G.O.Ms.No.320. But the respondents have not released the maintenance grant from the year from which it is entitled. Therefore, the petitioner has come up with the present writ petition.

3. At the time of hearing, it is represented by the learned counsel for the petitioner that a similar issue was already considered and disposed of by this Court in W.P.No.19400 of 2001 dated 18-09-2001 in the case of **St.Mary Fatima Primary School, Nandyal and others v. Government of A.P.**, where this Court, while following an earlier order of this Court, directed the respondents to release the maintenance grant to the petitioner's school in terms of the GO within a period of three months from the date of receipt of a copy of the order.

4. Heard both sides and considered the material on record.

5. In view of the orders already passed with reference to the similarly placed institutions, the petitioner is also entitled for similar relief.

6. Accordingly, the respondents are directed to release the maintenance grant to the petitioner's institution in terms of G.O.Ms.No.320 dated 16-09-1994, within a period of three months from the date of receipt of a copy of this order.

7. The writ petition is accordingly disposed of. No order as to costs.

S.ANANDA REDDY, J

04th August, 2005

SKM